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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,789	10/22/2003	Harold Miyamura	200311340-1	5624
22879	7590	11/25/2005	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			BUI, HUNG S	
			ART UNIT	PAPER NUMBER
			2841	

DATE MAILED: 11/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No.	Applicant(s)	
	10/690,789	MIYAMURA ET AL.	
	Examiner	Art Unit	
	Hung S. Bui	2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) 30-33 and 36 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29, 34, 35 and 37-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/22/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 30-33 and 36 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected claimed invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 09/22/2005.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9, 12-13, 16, 25, 41-42, 44-45 and 47 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee et al. [US 6,606,256].

Regarding claims 1-2, 12-13 and 41-42, Lee et al. disclose a computing device module for receipt within a computing device chassis (figures 1-2), the module comprising an enclosure cooperated with a handle (figure 1) movably coupled to the enclosure to move between an extended position and a retracted position, wherein the handle includes at least one opening (112) being continuously bounded.

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Regarding claims 3-4 and 45, Lee et al. disclose the at least one opening permitting a standard thumb/medial segment of a standard forefinger to be pinched together through the at least one opening when the handle is in the retracted position (figures 1-2).

Regarding claim 5, Lee et al. disclose the opening including an arcuate surface configured to engage the at least one digit when the digit extends through the at least one opening.

Regarding claim 6, Lee et al. disclose the at least one opening being a circular.

Regarding claims 7, 9, 13 and 47, Lee et al. disclose the chassis including a detent structure assembly (302, figure 3) cooperated with a detent structure assembly being mounted on the handle to retain/withdrawal the module from the chassis.

Regarding claims 8, 12 and 44, Lee et al. disclose the handle being pivoted between the extended position and the retracted position (figure 3).

Regarding claim 16, Lee et al. disclose the enclosure having a side/front wall (figure 1), extending in a first plane and wherein at least a majority of the handle extends in a second plane parallel to the first plane.

Regarding claim 25, Lee et al. disclose the handle extending along only a single transverse side of the enclosure (figure 3).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 10-11, 14-15 and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. in view of Bovell [US 2003/0161118].

Regarding claims 10-11 and 14-15, Lee et al. disclose the instant claimed invention except for the retainer including a first treaded portion coupled to the enclosure and a second threaded portion coupled to the handle and screwed to the first threaded portion.

Bovell discloses a module (2, figure 1) having a first threaded portion (22) coupled to an enclosure and a second threaded portion (figure 1) coupled to a handle and screwed to the first threaded portion by a thumb screw (24, figure 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the screw design of Bovell in Lee et al., in order to secure the handle in the module.

Regarding claim 28, Lee et al. disclose the instant claimed invention except for the enclosure including at least one air flow opening extending along a first plane and wherein the handle extends substantially within a second plane perpendicular to the first plane.

Bovell further discloses the enclosure including at least one air flow opening extending along a first plane and wherein the handle extends substantially within a second plane perpendicular to the first plane (figure 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the airflow opening design of Bovell in Lee et al., in order to allow air flow through.

Regarding claim 29, Lee et al. disclose the module being electrically contacted with the computer device through coupled connectors (figure 2).

6. Claims 17-22, 34-35, 37-40 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. in view of Pham et al. [US 4,885,436].

Regarding claims 17, 34-35, 37 and 43, Lee et al. disclose the instant claimed invention except for the handle has an arm portion and grasping portion providing the at least one opening, wherein the lever arm portion is substantially received within a recess when the handle is in the retracted position.

Pham et al. disclose a computing device (figures 1 and 3) having a handle (34) movably coupled to an enclosure (4), wherein the handle has arm portion and grasping portion providing the at least one opening (figure 3) and wherein the lever arm portion is substantially received within a recess (56) when the handle is in the retracted position.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the handle design of Pham et al. in Lee et al., for the purpose of retracting the module from the chassis.

Regarding claims 18-19, 22 and 38-39, Lee et al. disclose the instant claimed invention except for the specific thickness of the arm portion/ sheet metal/recess.

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The specific thickness of the arm portion would have been an obvious design consideration based on the specific thickness of the handle to be used for providing enough strengthening to retract the module from a chassis.

Regarding claims 20 and 40, Lee et al. further disclose the arm portion being formed of a sheet metal.

Regarding claim 21, Lee et al. disclose the instant claimed invention except for the sheet metal being formed of galvanize.

The sheet metal being formed of galvanize would have been an obvious design consideration based on the favor products from the user, which the manufacture is intended to make.

7. Claims 23, 26-27 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al.

Regarding claims 23 and 46, Lee et al. disclose the instant claimed invention except for the handle being formed of a material that has a yield strength of at least about 16,000psi.

Official notice is taken that it is well known to use a material that has a yield strength of at least about 16,000psi., such as metal. Therefore, the handle being made from metal can provide a strong momentum to retract a module from a chassis.

Regarding claim 26, Lee et al. disclose the instant claimed invention except for the opening having at least one dimension at least 18mm.

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The specific dimension of the opening would have been an obvious design consideration based on the specific dimension of the handle and a standard size of users' fingers.

Regarding claim 27, Lee et al. disclose the instant claimed invention except for a power supply provided therein the module.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide at least one power supply in the computer device of Lee et al., in order to provide electric for the computer device.

8. Claims 24 and 48-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al., as modified, as applied to claim 1 above, and further in view of Reiter et al. [US 5,557,499].

Regarding claim 24, Lee et al., as modified, disclose the instant claimed invention except for the module including at least one light-emitted display (LED) extending along a face of the module, wherein the handle has an arm portion and a grasping portion forming the opening and wherein the grasping portion extends in a plane perpendicular to the face.

Pham et al. disclose the module having the handle including arm portion and a grasping portion forming the opening and wherein the grasping portion extends in a plane perpendicular to the face of the module (figures 1-2).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the handle design of Pham et al. in Lee et al., for the purpose of retaining/retracting the module with a chassis through the actuator/handle.

Reiter et al. disclose a module having at least one (8, LED) being mounted on a surface of the module (figure 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the LED with the module of Lee et al., as modified, as suggested by Reiter et al., for the purpose of indicating the status of the module completely retain with the chassis.

Regarding claims 49-52, the claimed method steps would be inherent in the product structure.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Tanzer et al. [US 6,603,657] disclose a module including a mounting data storage device; and
- Bovell [US 6,831,839] discloses an adjustable sled module for mass storage device.


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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung S. Bui whose telephone number is (571) 272-2102. The examiner can normally be reached on Monday-Friday 8:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on (571) 272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11/14/05
Hung Bui
Art Unit 2841


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